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07 CIV 8756 (STEIN)

- against -

AFFIDAVIT

USCA-SEABELL, INC.,

Defendant.

1

ss.

3

DAVE JOHNSON, being duly sworn, deposes and says:

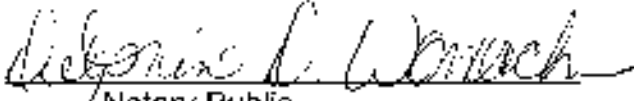
1. I am the Litigation Analyst in the offices of Credit and Collection for MAERSK LINE ("ML"), the plaintiff in the referenced matter. As such, I am personally familiar with the facts and circumstances herein, and I make this affidavit in support of plaintiff's Motion for Final Judgment by Default against defendant USCA-SEABELL, INC.

2. ML's records show that defendant USCA-SEABELL, INC. was the shipper of goods carried on plaintiff's Vessels, and is the party responsible to remit the ocean freight and related charges due as set forth in the Complaint. Such charges are true and accurate pursuant to ML's tariff and Service Contract with defendant and are the responsibility of defendant USCA-SEABELL, INC. The action was originally commenced seeking \$387,025.19. Since the inception of the action, this amount has been reduced due to payments made and bill adjustments to \$243,862.22, which amount remains unpaid.

Dated: Charlotte, North Carolina  
November 13, 2007

  
DAVE JOHNSON

Sworn to before me this  
14 day of November, 2007

  
Vicki Anne L. Warrick  
Notary Public

MY COMMISSION EXPIRES 6/19/2011

5-638563

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MAERSK LINE,

Plaintiff,

- against -

USCA-SEABELL, INC.,

Defendant.  
-----X

07 CIV. 8756 (STEIN)

AFFIDAVIT FOR  
JUDGMENT BY  
DEFAULT

STATE OF NEW YORK

COUNTY OF NEW YORK

} SS.:  
}

ALBERT J. AVALLONE, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am a member of the firm of the Law Offices of Albert J. Avallone & Associates, attorneys for the plaintiff in the above entitled action, and I am familiar with all the facts and circumstances in this action.

2. I make this affidavit in support of plaintiff's application for the entry of a default judgment against defendant USCA-SEABELL, INC.

3. This is an action to recover unpaid ocean freight owed by defendant to plaintiff for the transportation of certain goods of the defendant by the plaintiff.

4. Jurisdiction of the subject matter of this action is based on maritime jurisdiction.

5. This action was commenced by the filing of a Summons and Complaint. Subsequently an Amended Summons and Amended Complaint were filed, and a copy of the Amended Summons and Amended Complaint was served on defendant USCA-SEABELL, INC. on October 23, 2007 by personal service on Michael Veynberg, President, and a proof of service was filed. The defendant has not answered the Amended Complaint and the time for the defendant to answer the Amended Complaint has expired.

6. This action seeks judgment for the liquidated amount of \$387,025.19, reduced to \$243,662.22 as per the Dave Johnson affidavit, Para. 2, plus interest at 6% from the respective dates due, as shown by the annexed Statement, which is justly due and owing, and no part of which has been paid except as therein set forth.

7. The disbursements sought to be taxed have been made in this action or will necessarily be made or incurred herein.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: New York, New York  
November 16, 2007

  
ALBERT J. AVALLONE

Sworn to before me this  
16th day of November, 2007

  
Notary Public

DOROTHY C. MERITE  
Notary Public, State of New York  
No. 31-4251987  
Qualified in New York County  
My Commission Expires 2/12/10

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MAERSK SEALAND,

07 CIV. 8756 (STEIN)

Plaintiff,

- against -

USCA-SEABELL, INC.,

Defendant.

STATE OF NEW YORK

COUNTY OF NEW YORK

} SS.:

ALBERT J. AVALLONE, being duly sworn, deposes and says:

I am a member of the Bar of the Court and am a member of the firm of the Law Offices of Albert J. Avallone & Associates, attorneys for the plaintiff. As such, I am familiar with the facts and circumstances in the above entitled action.

Jurisdiction of plaintiff's claim is based upon maritime jurisdiction.

In my opinion, this Court has jurisdiction over the person and subject matter of this action.

Dated: New York, New York  
November 18, 2007

  
ALBERT J. AVALLONE

Sworn to before me this  
16th day of November, 2007

  
Notary Public

DOROTHY C. MERITE  
Notary Public, State of New York  
No. 31-4351997  
Qualified in New York County  
My Commission Expires 12/15/10

5-638563  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
MAERSK LINE

07 CV 8756 (STEIN)

Plaintiff,

- against -

AFFIDAVIT

USCA-SEABELL, INC.,

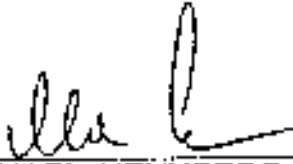
Defendant.  
-----X

STATE OF NEW YORK                    }  
COUNTY OF NEW YORK                } ss.:

MICHAEL VEYNBERG, being duly sworn, deposes and says:

1. I am the President of defendant USCA-SEABELL, INC. On October 23, 2007, I accepted service of the Amended Complaint in the above action on behalf of defendant.

Dated: New York, New York  
October 23, 2007

  
\_\_\_\_\_  
MICHAEL VEYNBERG

Sworn to before me this  
23<sup>rd</sup> day of October, 2007

  
\_\_\_\_\_  
Notary Public

DOROTHY C. MERITE  
Notary Public, State of New York  
No. 31-4051867  
Qualified in New York County  
My Commission Expires 